

“(D) the income of the group is derived in the United States, determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on January 18, 2017, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.”.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4, 2003,” and inserting “after March 4, 2003, and before May 8, 2014.”.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”;

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B);

(B) in paragraph (3), by inserting “or (b)(2)(B)(i), as the case may be,” after “(a)(2)(B)(ii)”;

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”;

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

By Mr. DURBIN:

S. 1507. A bill to require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited the “Plastic Pellet Free Waters Act”.

SEC. 2. EFFLUENT LIMITATIONS FOR WASTEWATER, SPILLS, AND RUNOFF FROM PLASTIC POLYMER PRODUCTION FACILITIES, PLASTIC MOLDING AND FORMING FACILITIES, AND OTHER POINT SOURCES ASSOCIATED WITH THE TRANSPORT AND PACKAGING OF PLASTIC PELLETS OR OTHER PRE-PRODUCTION PLASTIC MATERIALS.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall promulgate a final rule to ensure that—

(1) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from facilities regulated under part 414 or 463 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), is prohibited;

(2) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from a point source (as defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362)) that makes, uses, packages, or transports those plastic pellets and other pre-production plastic materials is prohibited; and

(3) the requirements under paragraphs (1) and (2) are reflected in—

(A) all wastewater, stormwater, and other permits issued by the Administrator and State-delegated programs under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) to facilities and other point sources (as defined in section 502 of that Act (33 U.S.C. 1362)) that make, use, package, or transport plastic pellets or other pre-production plastic materials, as determined by the Administrator, in addition to other applicable limits and standards; and

(B) all standards of performance promulgated under section 312(p) of the Federal Water Pollution Control Act (33 U.S.C. 1322(p)) that are applicable to point sources (as defined in section 502 of that Act (33 U.S.C. 1362)) that make, use, package, or transport plastic pellets or other pre-production plastic materials, as determined by the Administrator.

By Mr. KAINE (for himself, Mr. MORAN, Mr. WARNER, Mr. CASSIDY, Mr. CASEY, Mr. RUBIO, and Mr. MANCHIN):

S. 1521. A bill to require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President. While cancer is the leading cause of death by disease among children past infancy, childhood cancer and other rare pediatric diseases remain poorly understood. According to the National Cancer Institute, an estimated 15,590 children and adolescents under the age of 19 will be diagnosed with cancer, and 1,780 will die of the disease in the United States in 2021.

This is why I am pleased to be introducing the Gabriella Miller Kids First Research Act 2.0 with Senators JERRY MORAN, MARK R. WARNER, and BILL CASSIDY. The legislation provides a new source of funding for the National Institutes of Health’s (NIH) Gabriella Miller Kids First Pediatric Research Program (Kids First) by redirecting penalties collected from pharmaceutical, cosmetic, supplement, and medical device companies that break the law to pediatric and childhood cancer research. The bill is named in honor of Gabriella Miller, a Leesburg, Virginia resident who died from a rare form of brain cancer at the age of 10. Gabriella was an activist and worked to raise support for research into childhood diseases like cancer until her death in October of 2013.

The Gabriella Miller Kids First Research Program has supported critical research into pediatric cancer and structural birth defects and has focused on building a pediatric data re-

source combining genetic sequencing data with clinical data from multiple pediatric cohorts. The Gabriella Miller Kids First Data Resource Center is helping to advance scientific understanding and discoveries around pediatric cancer and structural birth defects and has sequenced nearly 20,000 samples thus far. While Congress has appropriated \$12.6 million for the Kids First program annually since Fiscal Year (FY) 2015, this legislation would make additional funding streams available to appropriators to further support pediatric and childhood cancer research.

Gabriella Miller was a passionate activist and fighter. In 2014, I was a strong champion of the Gabriella Miller Kids First Research Act, which established the Ten-Year Pediatric Research Initiative at the NIH and authorized \$12.6 million per fiscal year through FY23. We honor Gabriella’s memory by continuing her work in making sure pediatric disease research is a priority. This bipartisan legislation would provide a critical source of funding to improve research in pediatric cancer and diseases, and I urge my colleagues to support it.’

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 189—CONGRATULATING THE UNIVERSITY OF KENTUCKY’S WOMEN’S VOLLEYBALL TEAM FOR WINNING THE 2020 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S VOLLEYBALL CHAMPIONSHIP

Mr. MCCONNELL (for himself and Mr. PAUL) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas, on April 24, 2021, in Omaha, Nebraska, the women’s volleyball team of the University of Kentucky won its first National Collegiate Athletic Association Division I Women’s Volleyball Championship by defeating the University of Texas in a 4-set victory;

Whereas the players, coaches, and staff of the University of Kentucky displayed hard work and dedication in a challenging pandemic season concluding the year with 24 wins, only 1 loss, and their 4th consecutive Southeastern Conference title;

Whereas Madison Lilley, Alli Stumler, and Avery Skinner were selected for the all-tournament team;

Whereas Madison Lilley was also named the tournament’s Most Outstanding Player and the National Player of the Year;

Whereas head coach Craig Skinner was named Coach of the Year and has earned a NCAA Tournament berth every year during his 16 years with the program;

Whereas all of the coaching and support staff of the University of Kentucky Wildcats deserve congratulations, including Craig Skinner, Anders Nelson, Carly Cramer, Kristen Sanford, Katy Poole, Jake Romano, Nathan Matthews, Dr. Kimberly Kaiser, Dr. Scott D. Mair, Dr. Kyle Smoot, Dr. Rob Hosey, Kathrin Eiserman, John Spurlock, Damian Black, Chris Shoals, Zach Ball, Faith Wise, and Bryce Penick;

Whereas all of the following players should be congratulated for their teamwork, sportsmanship, and display of impressive athletic talent, including—

- (1) Bella Bell;
- (2) Maddie Berezowitz;
- (3) Gabby Curry;
- (4) Sophie Fischer;
- (5) Elise Goetzinger;
- (6) Madison Lilley;
- (7) Kendyl Paris;
- (8) Reagan Rutherford;
- (9) Cameron Scheitzach;
- (10) Avery Skinner;
- (11) Madi Skinner;
- (12) Alli Stumler;
- (13) Azhani Tealer;
- (14) Lauren Sharp; and
- (15) Riah Walker; and

Whereas the University of Kentucky Wildcats are the pride of the students, alumni, and loyal fans of the University and the Commonwealth of Kentucky: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Kentucky Wildcats for—

(A) winning the 2020 National Collegiate Athletic Association Division I Women's Volleyball Championship; and

(B) completing a successful 2020–2021 season; and

(2) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Kentucky, Dr. Eli Capilouto;

(B) the Athletics Director of the University of Kentucky, Mitch Barnhart; and

(C) the Head Coach of the University of Kentucky Women's Volleyball Team, Craig Skinner.

SENATE RESOLUTION 190—RECOGNIZING 50 YEARS OF SERVICE BY THE NATIONAL RAILROAD PASSENGER CORPORATION, COMMONLY KNOWN AS AMTRAK

Ms. CANTWELL (for herself, Mr. WICKER, Mr. PETERS, Mrs. FISCHER, Mr. TESTER, Mr. MORAN, Mr. MARKEY, Mr. LUJÁN, Mr. BLUMENTHAL, Ms. BALDWIN, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 190

Whereas, on October 30, 1970, Congress enacted the Rail Passenger Service Act of 1970 (Public Law 91-518; 84 Stat. 1327), which created the National Railroad Passenger Corporation (commonly known and referred to in this preamble as “Amtrak”) to assume the responsibility of providing the United States with nationwide passenger rail service, which began on May 1, 1971;

Whereas May 1, 2021, marks 50 years since the date Amtrak began providing passenger rail service to individuals in the United States;

Whereas Amtrak connects over 500 communities across 46 States, the District of Columbia, and 3 Canadian Provinces;

Whereas, in 2019, Amtrak provided over 32,000,000 trips, the highest yearly ridership in its history;

Whereas the total annual economic impact of Amtrak and the passengers it serves across the United States exceeds \$8,000,000,000;

Whereas Amtrak has formed valuable partnerships with 17 States to operate 28 regionalized routes, which resulted in 15,400,000 trips in 2019;

Whereas Amtrak operates 15 long-distance routes that resulted in 4,600,000 trips in 2019;

Whereas the Acela and the Northeast Regional, 2 services of Amtrak along the Northeast Corridor, provided 12,500,000 trips in 2019; and

Whereas Amtrak provides a number of essential services and public benefits, which include—

(1) serving as the only source of public transportation in many rural communities;

(2) employing approximately 16,000 people and supporting tens of thousands of additional jobs in the communities it serves; and

(3) because Amtrak is 47 percent more energy efficient than car travel and 33 percent more energy efficient than air travel (as measured by passenger miles), providing an environmentally friendly way to travel: Now, therefore, be it

Resolved, That the Senate recognizes—

(1) 50 years of service by the National Railroad Passenger Corporation (commonly known and referred to in this resolution as “Amtrak”);

(2) the need for safe and affordable national passenger rail service in the United States;

(3) that Amtrak provides a vital connection for both urban and rural communities throughout the United States and, in the process, contributes to the economic growth of those communities; and

(4) that the restoration and expansion of the services that Amtrak provides is in the interest of the United States.

SENATE RESOLUTION 191—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. PETERS (for himself, Mrs. FISCHER, Ms. CANTWELL, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 191

Whereas, each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to locate underground utility lines prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas, in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State “One Call” systems to provide information on underground utility lines;

Whereas, in 2005, the Federal Communications Commission designated “811” as the nationwide “One Call” number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas the 1,700 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national “Call Before You Dig” campaign to

increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground utility lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) affirmed and expanded the “One Call” program by eliminating exemptions given to local and State government agencies and their contractors regarding notifying “One Call” centers before digging;

Whereas, according to the Common Ground Alliance's 2019 Damage Information Reporting Tool (DIRT) Report published in October 2020, there were an estimated 532,000 instances of excavation-related damage to underground facilities in the United States during 2019, a 4.5 percent increase from the Common Ground Alliance's 2018 estimate;

Whereas the Common Ground Alliance conducted a survey in 2020 and found that 50 percent of the more than 1,800 respondents were aware of 811, the highest level since the survey was first conducted in 2008;

Whereas the Common Ground Alliance estimated that the societal costs of excavation-related damage to buried utilities were \$30,000,000,000 in 2019, including costs for facility repair, property damage, medical bills, and costs to the surrounding businesses affected by the resulting utility outages; and

Whereas the Common Ground Alliance has designated April as “National Safe Digging Month” to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national “Call Before You Dig” number: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month;

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging; and

(3) encourages all damage prevention stakeholders to help educate homeowners and excavators throughout the United States about the importance of calling 811 before digging.

SENATE RESOLUTION 192—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2021 AS “MOTORCYCLE SAFETY AWARENESS MONTH”

Ms. ERNST (for herself and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 192

Whereas motorcycling is a great United States tradition enjoyed by an estimated 30,000,000 people annually, representing approximately 11 percent of the population;

Whereas motorcycles are a valuable component of the transportation mix;

Whereas motorcycles are fuel-efficient and decrease congestion while having little impact on our Nation's transportation infrastructure;

Whereas the motorcycling community promotes rider safety education, licensing, and motorcycle awareness;

Whereas the motorcycling community is committed to decreasing motorcycle crashes through training and safety education, personal responsibility, and increased public awareness;

Whereas approximately 91 percent of motorcycles are operated on highways in conjunction with other vehicles;